

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-47 are pending. Claims 1, 2, 5-12, 15-20, and 22-47 stand rejected. Claims 3, 4, 13, 14 and 21 have been objected to.

Claims 1, 3, 13, 15, 24, and 38 have been amended. Claim 21 has been cancelled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

Rejections Under 35 U.S.C. 102(b)

Claims 1, 2 , 5-12, 15-20, and 22-47 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Applicant's Admitted Prior Art (AAPA). The Examiner stated that

As to claim 1, AAPA discloses the method as claimed. The prior art computer system that contains audio files to be played (see P 1-4 if the present invention) would read upon the method as claimed. A computer system with an audio reproduction application would use a play list which keeps track (i.e. "has a record of") of audio files to choose the audio file from the play file. Once chosen a request to the hard drive would be sent. A computer hard drive can go into a power saving state and when they receive a request they will power up to service the request (thus meeting "receiving a request..." step). The hard drive will then access "a storage location on the primary device" to play the audio file.

(p. 2, Office Action 10/7/04)

Applicant has amended claim 1 to particularly point out that playing the audio file is performed while the primary device is in a power saving state, as recited in amended claim 1.

Amended claim 1 reads as follows.

A method comprising:

receiving a request at a primary device to play an audio file;

accessing a storage location on the primary device;

locating a play list which has a record of the audio file;

choosing the audio file from the play list; and

playing the audio file, wherein the playing is performed while the primary device is in the power saving state.

(Amended claim 1) (emphasis added)

AAPA merely discloses playing audio files from a storage of a computer by the computer, when it is in active state. AAPA does not disclose, teach, or suggest playing audio files from the storage of the computer while the computer is in a power saving state, as recited in amended claim 1.

Because AAPA does not set forth all the limitations of amended claim 1, Applicant respectfully submits that amended claim 1 is not anticipated by AAPA under 35 U.S.C. § 102(b).

Given that claims 2, and 5-12 depend, either directly or indirectly, on amended claim 1, Applicant respectfully submits that claims 2, and 5-12 are likewise not anticipated by AAPA under 35 U.S.C. § 102(b).

Claim 3, which was indicated by the Examiner as allowable, has been rewritten in independent form and now includes all the limitations of base claim 1. Applicant respectfully submits that amended independent claim 3 is now allowable.

Applicant respectfully submits that claim 4, which depends on amended claim 3, is now also allowable.

Claim 13, which was indicated by the Examiner as allowable, has been rewritten in independent form and now includes all the limitations of base claim 1 and intervening claim 12. Applicant respectfully submits that amended independent claim 3 is now allowable.

Applicant respectfully submits that claim 14, which depends on amended claim 13, is now also allowable.

Claim 15 has been amended and now includes the limitations of claim 21, which was indicated by the Examiner as allowable. Rather than rewriting claim 15, Applicant has amended claim 15. Applicant respectfully submits that amended independent claim 15 is now allowable. It is respectfully submitted that claims 16-20 and 22-23, which depend on claim 1, are now also allowable.

Applicant has amended claim 24 to particularly point out that the apparatus contains a song play list management block, which is controllable at least by a microcontroller.

Amended claim 24 reads as follows.

An apparatus comprising:
a file system management logic block for a physical storage location;
a volume management logic block for the physical storage location;
a file management logic block for the physical storage location; and
a song play list management logic block for the physical storage location,
wherein the song play list management logic block is controllable at least by a microcontroller.

(Amended claim 24) (emphasis added)

AAPA, in contrast, discloses accessing audio files merely by a processor of the computer, and not by the microcontroller. AAPA does not disclose, teach, or suggest song play list management logic block, which is controllable at least by a microcontroller, as recited in amended claim 24.

Because AAPA does not set forth all the limitations of amended claim 24, Applicant respectfully submits that amended claim 24 is not anticipated by AAPA under 35 U.S.C. § 102(b).

Given that claims 25-37 depend, either directly or indirectly, on amended claim 24, Applicant respectfully submits that claims 25-37 are likewise not anticipated by AAPA under 35 U.S.C. § 102(b).

Applicant has amended claim 38 to particularly point out that a fourth code block manages and organizes a play list or multiple play lists of audio files on a volume, wherein the play list of the audio files is accessible at least by a microcontroller.

Amended claim 38 reads as follows.

A machine readable medium having embodied thereon a program for execution by a machine, the program comprising:

a first code block segment for mounting and dismounting a volume;
a second code block for keeping track of where files are located on the volume;
a third code block for managing files and directories on the volume; and
a fourth code block for managing and organizing a play list or multiple play lists on a volume, wherein a play list is a list of audio files accessible at least by a microcontroller.

(Amended claim 24) (emphasis added)

AAPA, in contrast, discloses accessing audio files merely by a processor of the computer, and not by a microcontroller. AAPA does not disclose, teach, or suggest a fourth code block for managing and organizing a play list or multiple play lists on a volume, wherein a play list is a list of audio files accessible at least by a microcontroller, as recited in amended claim 38.

Because AAPA does not set forth all the limitations of amended claim 38, Applicant respectfully submits that amended claim 38 is not anticipated by AAPA under 35 U.S.C. § 102(b).

Given that claims 39-47 depend, either directly or indirectly, on amended claim 38, Applicant respectfully submits that claims 39-47 are likewise not anticipated by AAPA under 35 U.S.C. § 102(b).

Allowable Subject Matter

Applicants note with appreciation the Examiner's allowance of the claims 3, 4, 13, 14, and 21 if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants here have amended the claims in light of this suggestion.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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